

CITY OF HORSESHOE BAY

ORDINANCE NO. ORD 08-02-19E

**AMENDMENT TO ZONING ORDINANCE FOR COMMERCIAL MARINAS,
COMMUNITY MARINAS AND DAY DOCKS**

**AN ORDINANCE OF THE CITY OF HORSESHOE BAY, TEXAS,
AMENDING ZONING ORDINANCE 07-09-18E TO ADD ZONING
REGULATIONS APPLICABLE TO A COMMERCIAL MARINA, A
COMMUNITY MARINA, AND DAY DOCKS OR COURTESY MARINAS;
CREATING A SEPARATE ZONING DESIGNATION OF MA-1 MARINA
IN ZONE 4A HORSESHOE BAY PROPER; PROVIDING FOR FINDINGS
OF FACT; EFFECTIVE DATE; REPEALER; SEVERABILITY; AND
PROPER NOTICE AND MEETING**

WHEREAS, the City Council of the City of Horseshoe Bay ("City Council") seeks to provide for the health, safety, and welfare of those living in, working in, and visiting the City; and

WHEREAS, the City Council finds that the public will be well-served by the enactment of new rules and regulations that govern use of a Commercial Marina, Community Marina and Day Docks (Courtesy Marinas) within the city limits; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to regulate: (1) the height, number of stories, and size of buildings and other structures; (2) the percentage of a lot that may be occupied; (3) the size of yards, courts, and other open spaces; (4) the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and (5) the bulk of buildings; and

WHEREAS, the City of Horseshoe Bay contains established subdivisions with established declarations of reservations, restrictive covenants, and deed restrictions that the City Council believes should be preserved and continued to the maximum extent possible under the authority of this Zoning Ordinance; and

WHEREAS, by Ordinance No. 07-09-18E, the City Council revised already existing zoning regulations for all subdivisions of the City; and

WHEREAS, administration and implementation of Ordinance No. 07-09-18E has resulted in the identification of various matters in that Ordinance that should be amended, repealed, or otherwise modified regarding commercial marinas; and

WHEREAS, the City Council is of the opinion that the amendments contained in this Ordinance will be in the best interests of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HORSESHOE BAY, TEXAS:

I. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

II. MARINA ZONING AMENDMENT

The following duly enacted zoning regulations are hereby added to the regulations for Zone 4A Horseshoe Bay Proper:

3.6.13. The following provisions shall be applicable to all land within Zones 4A Horseshoe Bay Proper and classified as MA-1, Marina:

(a) This classification is intended to provide appropriate areas for uses that provide commercial marina facilities and services.

(b) Uses Permitted:

- (1) Commercial Boat Slips (Commercial Marina)
- (2) Day Docks (Courtesy Marina)
- (3) Board Walks
- (4) Fuel Sales and Storage
- (5) Boat Launch
- (6) Boat Storage
- (7) Restaurants
- (8) Retail
- (9) Marina Rentals
- (10) Boat Sales
- (11) Community Marina

(c) LCRA Permit Required: All marinas must obtain a permit and comply with the applicable provisions of the Lower Colorado River Authority Highland Lakes Marina Ordinance. An applicant for a permit from LCRA for a marina located within the corporate limits of the City shall notify the City that a permit application has been submitted to LCRA.

(d) Parking: Parking: For floating boat slips, one (1) parking space is required for every ten (10) floating boat slips.

(e) Building setbacks: None required.

